

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
Revocation of the Educator Certificate of)	CONSENT ORDER OF
Julia Mae Bamberg)	PUBLIC REPRIMAND
Certificate 136836)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 9, 2008. On November 28, 2007, the South Carolina Department of Education (Department) sent a notice of hearing regarding the possible suspension or revocation of her educator certificate to Ms. Julia Mae Bamberg by certified mail, return receipt requested, delivery restricted to addressee. Ms. Bamberg received the notice as evidenced by a postal receipt bearing her name. Ms. Bamberg, through her attorney, agreed to resolve the case without a hearing upon the following terms: (1) a public reprimand will be issued to Ms. Bamberg by the State Board, (2) the public reprimand will be reported to all school districts in South Carolina with the grounds listed as "test security violation," and (3) this order will be maintained as a public record in the Office of General Counsel of the Department. After considering the evidence presented by the Department, the State Board voted to issue a public reprimand to Ms. Bamberg.

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Julia Mae Bamberg 136836

FINDINGS OF FACT

Ms. Bamberg holds a valid South Carolina educator certificate and has over twenty-six years of teaching experience. Ms. Bamberg has been employed since 2001 by Bamberg County School District One (Bamberg One) as a Mathematics teacher and currently is assigned to Bamberg-Ehrhardt Middle School. During the 2004 administration of the Exit Exam in Bamberg County School District One, a math teacher overheard two students

commenting that the math portion of the exam was identical to a practice test they had taken during a remedial class taught by Ms. Bamberg at Denmark Technical College. The teacher reported the matter to the Bamberg Ehrhardt High School Administration. Mr. Wallace, Director of Guidance, interviewed the two students and compared the practice test with the Exit Exam booklet and determined both tests to be identical. Ms. Bamberg stated that she previously worked at Denmark-Olar High School from 1995-2000. When Ms. Bamberg left the Denmark-Olar High School to accept employment with Bamberg One, she took a box of testing materials from the classroom that she thought would be useful when teaching the remedial courses at Denmark Technical College. Ms. Bamberg acknowledged that the practice tests shown to her did come from the box of testing materials she had taken from the classroom. Mrs. Bamberg denies the intentional or knowing misuse of testing materials.

CONCLUSIONS OF LAW

It is unlawful to copy, reproduce or use in any manner inconsistent with test security regulations all or any portion of any test booklet, S.C. Code Ann. § 59-1-445(1)(b) (2004). Keeping, copying, reproducing, or using any test, test questions or specific test content in any manner inconsistent with the instructions provided by or through the South Carolina Department of Education is viewed as a security violation which can result in disciplinary action to an educator's professional certificate, 24 S.C. Code Ann. Regs 43-100(X)(F) (2006). Ms. Bamberg's conduct in providing copied test questions from the Exit Exam booklet to her students constitutes a security violation warranting disciplinary action in this matter.

The State Board may, for just cause, either revoke or suspend the certificate of any person, S.C. Code Ann. § 59-25-150 (2004), S.C. Code

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Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (2006). The State Board finds that the substantial evidence presented supports its conclusion that although just cause does not exist to suspend or revoke Ms. Bamberg's certificate, just cause does exist to issue a Public Reprimand to Ms. Bamberg. Accordingly, the Board issues this Consent Order of Public Reprimand. The Public Reprimand will be reported to all school districts in South Carolina with the grounds listed as "test security violation," and this order will be maintained as a public record in the Office of General Counsel of the Department.

AND IT IS SO ORDERED.

South Carolina State Board of Education


A. Simpson, Chair

Columbia, South Carolina
April 9, 2008

I, Julia Mae Bamberg, SC Educator Certificate 136836, do hereby agree to this Order of Public Reprimand, consisting of three pages, and understand that this Order will be presented as signed to the State Board of Education on April 9, 2008.


Signature

3/29/08
Date